



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

RENEE CIPRIANO, DIRECTOR

217-782-5544
TDD 217-782-9143

October 1, 2002

Tom Krueger
U.S. EPA
77 west Jackson Boulevard
Mail Code C-14J
Chicago, Illinois 60604

Re: Downers Grove Groundwater Investigation
Draft RI/FS Order

EPA Region 5 Records Ctr.



265576

Tom:

The purpose of this letter is to communicate to you comments on the draft RI/FS order that you sent to the Illinois EPA. The comments are from myself, and from Fred Nika and Carol Fuller.

Carol Fuller is with the Illinois EPA, Office of Community Relations. Her concern is with the community relations plans for the RI/FS. She proposes the inclusion of the following language in the order. I believe that she took it from an order used for the Indian Refining site in Lawrenceville, Illinois:

The development and implementation of community relations activities are the responsibility of U.S. EPA and Illinois EPA. The critical community relations planning steps performed by U.S. EPA and Illinois EPA include conducting community interviews and developing a community relations plan. Although implementation of the community relations plan is the responsibility of U.S. EPA and Illinois EPA, the Respondents may assist by providing information regarding the site's history, participating in public meetings, by assisting in preparing fact sheets for distribution to the general public, or conducting other activities approved by U.S. EPA and Illinois EPA.

Respondents and/or U.S. EPA and Illinois EPA will prepare two or more baseline human health (and ecological?) risk assessment memoranda that will summarize the toxicity assessment and exposure assessment components of the baseline human health (and ecological?) risk assessment. U.S. EPA and Illinois will make these memoranda available to all interested parties for comment and place them in the Administrative Record. (U.S. EPA and Illinois EPA are not required,

GEORGE H. RYAN, GOVERNOR

.Letter to Tom Krueger
October 1, 2002
Page 2

however, to formally respond to significant comments except during the formal public comment period on the proposed plan after the RI/FS.)

The extent of PRP involvement in community relations activities is left to the discretion of U.S. EPA and Illinois EPA. The Respondents' community relations responsibilities, if any, shall be specified in the community relations plan. All PRP-conducted community relations activities will be subject to oversight by U.S. EPA and Illinois EPA.

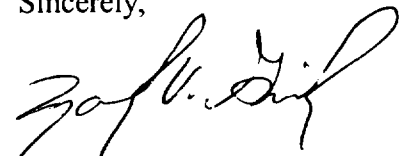
Fred Nika is the Bureau of Land's project manager for the site. His main comments pertain to financial assurance. Given the number of PRPs, the need for realistic and accurate assessments of any financial assurance posted by the PRP's is critical. The Illinois EPA has had several instances in recent years where PRPs use their own (overstated) company net worth to provide justification of their financial ability to pay. The recent events in the stock market have shown this is not a good representation of the ability of a company to pay for a multi-year investigation/remedy. Fred urges that an adequate financial assurance mechanism is in place to ensure that the project can indeed be completed.

Regarding my comments, we have already discussed the accidental inclusion of "Eagle Zinc in the draft. I believe that you have already addressed this. Additionally, Section III states that one of the purposes of the RI/FS order is to provide for recovery of response and oversight costs of the US EPA. Section VIII goes in to greater detail on the reimbursement of the US EPA's oversight costs. Is it possible to include reimbursement of the Illinois EPA's response and oversight costs? Given the tight budgets that governmental agencies are faced with, I do not want to pass up an opportunity to secure reimbursement of the States costs.

Lastly, paragraph 5 in Section IV, Statement of Facts, the draft order states that the contamination has migrated to drinking water wells to the south and west of the Ellsworth Industrial Park. This should be corrected to say to the south and east. We want to be careful of this type of error since the Lockformer plume is to the west of the site. We do not want to inadvertently confuse direction of migration of the contamination.

If you have any questions regarding these comments, please feel free to contact me at 217-782-9825.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark V. Gurnik", written in a cursive style.

Mark V. Gurnik
Assistant Counsel
Division of Legal Counsel

OFFICE OF THE
COUNSEL

U.S. ENVIRONMENTAL
PROTECTION AGENCY

Summary of Major Submittals for the Remedial Investigation/Feasibility (RI/FS) Study Ellsworth Industrial Park Downers Grove, DuPage County, Illinois		
DELIVERABLE	NO. OF COPIES	DUE DATE (calendar days)
RI/FS Work Plan	3	30 days after initiation of work assignment
Health & Safety Plan	3	(#) days after approval of RI/FS Workplan
Quality Assurance Project Plan	3	(#) days after approval of RI/FS Workplan
Field Sampling Plan	3	(#) days after approval of RI/FS Workplan
Data Management Plan	3	(#) days after approval of RI/FS Workplan
Monthly Progress Reports	3	In accordance with the contract
Human Health Risk Assessment Report	3	(#) days after completion of field investigations
Ecological Risk Assessment Report	3	(#) days after receipt of EPA comments
Remedial Investigation (RI) Report	3	(#) days after RI/FS Work Plan approval
Remedial Alternatives Technical Memorandum	3	(#) days after RI/FS Work Plan approval
Remedial Alternatives Evaluation	3	(#) days after completion of Remedial Alternatives Technical Memorandum
Feasibility Study Report	3	(#) days after completion of RI
Work Assignment Completion Report	3	as directed in Work Assignment Closeout Notification